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13 Attorneys for California Department of
14 Transportation, et al.

15 UNITED STATES BANKRUPTCY COURT
16 NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 In re:

18 PG&E CORPORATION

19 - and -

20 PACIFIC GAS AND ELECTRIC
COMPANY,

21 Debtors.

<input type="checkbox"/>	Affects PG&E Corporation
<input type="checkbox"/>	Affects Pacific Gas and Electric Company
<input checked="" type="checkbox"/>	Affects both Debtors

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

Date: December 11, 2019

Time: 10:00 a.m.

Ctrm: 17

Judge: Dennis Montali

25 **LIMITED OBJECTION OF THE CALIFORNIA STATE AGENCIES TO**
26 **MOTION OF DEBTORS PURSUANT TO 11 U.S.C. § 1121(d) TO EXTEND**
27 **THE EXCLUSIVE SOLICITATION PERIOD [DOCKET NO. 4825]**

1 The California Department of Transportation (“Caltrans”), California Underground
2 Facilities Safe Excavation Board (“Dig Safe Board”), California Department of Parks and
3 Recreation (“State Parks”) and California Department of Water Resources (“DWR”)
4 (collectively, the “California State Agencies”) hereby file this limited objection and reservation of
5 rights with respect to the *Motion of Debtors Pursuant to 11 U.S.C. § 1121(d) to Extend the*
6 *Exclusive Solicitation Period* (Docket No. 4825) (the “Motion”) based on the following:

7 1. The Debtors represent in the Motion that they “are current on payment of their
8 postpetition obligations[.]” *See Motion at 15:5-6; Boken Declaration*¹ at ¶ 8. However, the
9 California State Agencies assert the Debtors owe them approximately \$1.4 million in unpaid post-
10 petition obligations as described in more detail below.

11 2. Counsel for the California State Agencies has contacted counsel for the Debtors
12 regarding the unpaid post-petition obligations to several California State Agencies. Based on this
13 communication, the Debtors are working with the various California State Agencies to confirm
14 what post-petition amounts remain unpaid and pay any undisputed amounts.

15 3. The specific unpaid post-petition obligations owed to the California State
16 Agencies are as follows:

17 a. Caltrans: The Debtors owe Caltrans over \$600,000 for past-due obligations
18 that arose post-petition for certain permits, and the post-petition deficiency continues to increase
19 monthly. Caltrans has been in communication with the Debtors’ regarding these amounts. While
20 the unpaid post-petition invoices had previously been sent to PG&E, at PG&E’s request and in an
21 attempt to resolve the matter consensually, Caltrans is in the process of providing additional
22 copies of these invoices to the Debtors. Once all applicable invoices have been provided and
23 verified by the Debtors, the Debtors expect to be in a more informed position to discuss payment
24 for the undisputed amounts.

25 b. Dig Safe Board: Dig Safe Board is a board within the California
26 Department of Forestry and Fire Protection. Dig Safe Board is owed post-petition monthly
27 regulatory fees under Government Code section 4216.16 in the amount of \$584,659.13 that have

28 ¹ Capitalized terms not otherwise defined shall have the same meaning as the Motion.

1 become due after January 29, 2019. The post-petition amounts owed to Dig Safe Board are set
2 forth in Proof of Claim No. 79375 filed by Dig Safe Board on October 21, 2019. *See*
3 Supplemental Statement to Proof of Claim No. 79375 at 2:26 – 3:24. For the Court’s
4 convenience, a copy of Proof of Claim No. 79375 is attached as Exhibit A to this limited
5 objection. The Debtors and Dig Safe Board have made progress with respect to these amounts,
6 and outstanding invoices for undisputed amounts due are expected to be submitted to the Debtor
7 for payment by the end of this week.

8 c. State Parks: The Debtors owe State Parks (on behalf of the Office of
9 Historic Preservation) more than \$100,000 for past-due obligations some of which arose post-
10 petition under a contract between the Utility and State Parks. An invoice was sent to the Utility in
11 June 2019 that remains unpaid, and State Parks continues to incur costs under the contract with
12 the Utility at a rate of approximately \$17,000 per month. The Debtors have asked State Parks to
13 clarify what unpaid amounts relate to the post-petition period so those amounts can be paid. State
14 Parks is working to provide this information to the Debtors.

15 d. DWR: DWR is the lead agency in coordinating the California Cooperative
16 Snow Surveys program (“CCSS”). As reflected in Proof of Claim No. 77978 filed by DWR on
17 October 18, 2019, the Debtors owe approximately \$38,000 for their share of the costs for the
18 CCSS program for 2019. *See* Supplemental Statement to Proof of Claim No. 77978 at 3:4-7. For
19 the Court’s convenience, a copy of Proof of Claim No. 77978 is attached as Exhibit B to this
20 limited objection. The Debtors have asked DWR to provide an invoice covering the post-petition
21 period so the appropriate amounts can be paid.

22 4. Pending confirmation that all post-petition obligations owed by the Debtors to the
23 California State Agencies are paid in full, the California State Agencies submit this limited
24 objection to preserve their objection to the Debtors’ statement that the Debtors are current on all
25 post-petition obligations. There may be other post-petition obligations due and payable by the
26 Debtors, and the California State Agencies reserve all rights.

27 5. Neither this objection nor any subsequent appearance, pleading, proof of claim,
28 claim or suit is intended or shall be deemed or construed as:

1 a. a consent by the California State Agencies to the jurisdiction of this Court
2 or any other court with respect to proceedings, if any, commenced in any case against or
3 otherwise involving the California State Agencies;

4 b. a waiver of any right of the California State Agencies to (i) have an
5 Article III judge adjudicate in the first instance any case, proceeding, matter or controversy as to
6 which a Bankruptcy Judge may not enter a final order or judgment consistent with Article III of
7 the United States Constitution, (ii) have final orders in non-core matters entered only after de
8 novo review by a District Court Judge, (iii) trial by jury in any proceeding so triable in the
9 Chapter 11 Cases or in any case, controversy, or proceeding related to the Chapter 11 Cases,
10 (iv) have the United States District Court withdraw the reference in any matter subject to
11 mandatory or discretionary withdrawal, or (v) any and all rights, claims, actions, defenses, setoffs,
12 recoupments or remedies to which the California State Agencies are or may be entitled under
13 agreements, in law or in equity, all of which rights, claims, actions, defenses, setoffs and
14 recoupments are expressly reserved hereby; or

15 c. a waiver of any objections or defenses that the State of California, the
16 California State Agencies or any other agency, unit or entity of the State of California may have
17 to this Court's jurisdiction over the State of California, the California State Agencies or such
18 other agency, unit or entity based upon the Eleventh Amendment to the United States

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1 Constitution or related principles of sovereign immunity or otherwise, all of which objections and
2 defenses are hereby reserved.

3 Dated: December 4, 2019

Respectfully submitted,

4 XAVIER BECERRA
5 Attorney General of California
6 MARGARITA PADILLA
7 Supervising Deputy Attorney General

8 By: /s/ Paul J. Pascuzzi

9 STEVEN H. FELDERSTEIN
10 PAUL J. PASCUZZI
11 FELDERSTEIN FITZGERALD
12 WILLOUGHBY PASCUZZI & RIOS LLP
13 Attorneys for California Department of Transportation,
14 California Underground Facilities Safe Excavation
15 Board, California Department of Parks and Recreation
16 and California Department of Water Resources

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EXHIBIT A

United States Bankruptcy Court, Northern District of California

Fill in this information to identify the case (Select only one Debtor per claim form):

PG&E Corporation (19-30088)
 Pacific Gas and Electric Company (19-30089)

RECEIVED

OCT 21 2019

PRIME CLERK LLC

Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

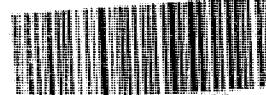
A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Unless an exception in the Bar Date Order applies to you, you should not use this form to submit a claim that arises out of or relates to the fires that occurred in Northern California prior to January 29, 2019.

Part 1: Identify the Claim

1. Who is the current creditor?	California Underground Facilities Safe Excavation Board Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor Dig Safe Board		
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____		
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent? Jeffrey Brooks Board Attorney California Underground Facilities Safe Excavation Board 2251 Harvard Street, 4th Floor Sacramento, CA 95815	Where should payments to the creditor be sent? (if different)	<input type="checkbox"/> Date Stamped Copy Returned <input type="checkbox"/> No Self-Addressed Stamped Envelope <input checked="" type="checkbox"/> No Copy Provided
	Contact phone (916) 207-1222 Contact email Jeffrey.Brooks@fire.ca.gov	Contact phone _____ Contact email _____	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____		Filed on _____ / _____ / _____
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____		



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
7. How much is the claim?	\$ 3,074.52
	Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. State fee for regulatory costs pursuant to Government Code section 4216.16; and Cal. Code Regs. title 19, section 4010.
9. Is all or part of the claim secured?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____ Basis for perfection: Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.) Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes. Check one:	Amount entitled to priority
		<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
		<input type="checkbox"/> Up to \$2,850 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
		<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
		<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
		<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
		<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.	\$ _____
* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.			

Part 3: Sign Below

The person completing this proof of claim must sign and date it.
FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

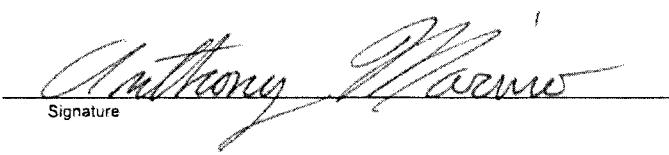
- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/17/2019 (mm/dd/yyyy)


Signature

Print the name of the person who is completing and signing this claim:

Name	Anthony	Marino
First name	Middle name	Last name
Title	Executive Officer	
Company	California Underground Facilities Safe Excavation Board	
Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	2251 Harvard Street, 4th Floor	
Number	Street	
Sacramento	CA	95815
City	State	ZIP Code
(916) 767-3370	Email	tony.marino@fire.ca.gov
Contact phone		

1 BRUCE CRANE
2 Chief Counsel
3 JEFFREY BROOKS
4 State Bar No. 222979
5 Department of Forestry and Fire Protection
6 State of California
7 2251 Harvard Street, 4th Floor
8 Sacramento, CA 95815
9 Telephone: (916) 207-1222
10 Electronic Mail: jeffrey.brooks@fire.ca.gov
11

12
13 IN THE UNITED STATES BANKRUPTCY COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16
17

18 **In re:**
19 **PACIFIC GAS AND ELECTRIC**
20 **COMPANY,**

21 **Debtor.**

22 CASE NO. 19-30089 (DM)

23 Chapter 11

24 **CALIFORNIA UNDERGROUND**
25 **FACILITIES SAFE EXCAVATION**
26 **BOARD'S SUPPLEMENTAL**
27 **STATEMENT IN CONNECTION WITH**
28 **ITS PROOF OF CLAIM FOR UNPAID**
29 **GOVERNMENTAL FEES**

30 Hearing:

31 Time:

32 Courtroom:

33 Judge: Honorable Dennis Montali

34
35 The California Underground Facilities Safe Excavation Board (Dig Safe Board), a Board
36 within the California Department of Forestry and Fire Protection (CAL FIRE), submits this
37 supplemental statement in connection with its Proof of Claim in the Chapter 11 bankruptcy
38 proceeding of Debtor Pacific Gas and Electric Company (PG&E). As indicated in the Proof of
39 Claim, the Dig Safe Board submits a claim for not less than \$3,074.52 for fees due and payable to
40 the Dig Safe Board, with an express reservation to revise, amend, and/or supplement this claim at
41 a future date. The Dig Safe Board's claim is supported by an invoice generated by a regional call

1 center responsible for dispatching utilities to locate and mark underground utility facilities before
2 excavation that may impact those underground facilities. The invoice is in the attachments to this
3 supplemental statement at Exhibit 1.

4 **THE DIG SAFE BOARD'S RIGHT TO RECOVERY OF FEES**

5 The Dig Safe Board was created under the Office of the State Fire Marshal within CAL
6 FIRE. (Cal. Gov. Code § 4216.12(a).) The Dig Safe Board is charged with coordinating education
7 and outreach activities relating to safe excavation practices, developing safe excavation standards,
8 and enforcing “dig safe” laws set forth in Government Code sections 4216 through 4216.24.
9 (Gov. Code § 4216.12(b).)

10 Every operator of an underground utility facility in California must become a member of,
11 and contribute to the cost of operating, a regional notification center. (Gov. Code § 4216.1.)
12 There are two notification centers in California, Underground Service Alert of Northern
13 California & Nevada and Underground Service Alert.

14 Each notification center collects fees from its members, and the Dig Safe Board’s operating
15 expenses are paid by a portion of those fees pursuant to Government Code section 4216.16. Those
16 fees comprise a substantial part of the Dig Safe Board’s budget.

17 The fees which are the subject of this claim were imposed by the Dig Safe Board on PG&E
18 and total \$3,074.52. The fees were billed to PG&E on one invoice dated January 22, 2019. That
19 invoice was submitted by Underground Service Alert of Northern California & Nevada and is
20 attached as Exhibit 1.

21 **THE DIG SAFE BOARD'S COSTS**

22 In providing services related to the regulation of excavation that may impact underground
23 utility facilities, the Dig Safe Board has reasonably imposed fees in the amount of \$3,074.52
24 before January 29, 2019. These fees are recoverable under Government Code section 4216.16 and
25 are detailed in the attachments at Exhibit 1.

26 PG&E has not paid additional fees in the amount of \$584,659.13 that have become due
27 after January 29, 2019. Those fees are detailed in the attachments as Exhibit 2, and are itemized
28 as follows:

1 Underground Service Alert of Northern California & Nevada submitted two invoices in
2 these amounts:

3 Invoice No. 1708962019DIG \$ 1,892.59

4 Invoice No. 1588692019DIG \$ 577,996.94

5 Subtotal: \$ 579,889.53

6

7 Underground Service Alert submitted eight invoices in these amounts:

8 Invoice No. 18dsbfee384 \$ 596.20

9 Invoice No. 18dsbfee991 \$ 596.20

10 Invoice No. 18dsbfee1605 \$ 596.20

11 Invoice No. 18dsbfee2214 \$ 596.20

12 Invoice No. 18dsbfee2823 \$ 596.20

13 Invoice No. 18dsbfee3432 \$ 596.20

14 Invoice No. 18dsbfee4041 \$ 596.20

15 Invoice No. 18dsbfee4650 \$ 596.20

16 Subtotal: \$ 4,769.60

17

18 The Dig Safe Board expects that PG&E will continue to owe additional fees that will
19 accrue pursuant to Government Code section 4216.16. These costs are recoverable as
20 administrative priority expense claims. *In re Munce's Superior Petro. Prod., Inc.*, 736 F.3d 567,
21 571-573 (1st Cir. 2013) (a contempt fine imposed for violating a court order compelling the
22 debtor to comply with state environmental law deemed an actual, necessary cost and expense of
23 preserving the estate, thus entitling the creditor to administrative expense priority); *Cumberland*
24 *Farms, Inc. v. Florida Dep't. of Envtl. Prot.*, 116 F.3d 16, 20-21 (1st Cir. 1997). The Dig Safe
25 Board expressly reserves its right to revise, amend, and/or supplement this claim.

26 **CONCLUSION**

27 The Dig Safe Board makes this claim for itself and no other agency, unit, or entity of the
28 State of California. Any waiver of sovereign immunity under the law resulting from the filing of

1 this claim is by The Dig Safe Board, and no other agency, unit, or entity of the State of California,
2 and is strictly limited to this claim. Neither this supplemental statement nor any subsequent
3 appearance, pleading, proof of claim, claim, or suit is intended to or shall be deemed or construed
4 as:

5 (a) a consent by the Dig Safe Board to the jurisdiction of this Court or any other court
6 with respect to proceedings, if any, commenced in any case against or otherwise involving the
7 Dig Safe Board;

8 (b) a waiver of any right of the Dig Safe Board to (i) have an Article III judge adjudicate
9 in the first instance any case, proceeding, matter, or controversy as to which a Bankruptcy Judge
10 may not enter a final order or judgement consistent with Article III of the United States
11 Constitution, (ii) have final orders in non-core matters entered only after *de novo* review by a
12 District Court Judge, (iii) trial by jury in any proceeding so triable in the Chapter 11 Cases or in
13 any case, controversy, or proceeding related to the Chapter 11 Cases, (iv) have the United States
14 District Court withdraw the reference in any matter subject to mandatory or discretionary
15 withdrawal, or (v) any and all rights, claims, actions, defenses, setoffs, recoupments, or remedies
16 to which the Dig Safe Board is or may be entitled under agreements, in law or in equity, all of
17 which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved hereby; or

18 (c) a waiver of any objections or defenses that the Dig Safe Board may have to this
19 Court's jurisdiction over the Dig Safe Board based upon the Eleventh Amendment to the United
20 States Constitution or related principles of sovereign immunity or otherwise, all of which
21 objections and defenses are hereby reserved.

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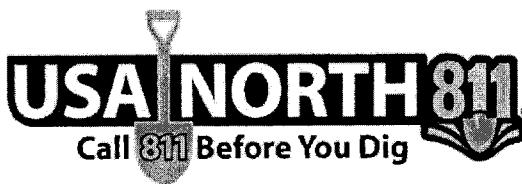
All correspondence and pleadings pertaining to this Proof of Claim and any amendments or supplements to it should be directed to the undersigned.

Dated: October 17, 2019

Respectfully submitted,

JEFFREY BROOKS
Attorney for
California Underground Facilities Safe
Excavation Board

Exhibit 1



Underground Service Alert of
Northern California & Nevada
4005 Port Chicago Hwy.
Ste. 100 Concord, CA
94520-1122

INVOICE

DATE	INVOICE #
1/22/2019	1708962019

BILL TO
STANDARD PACIFIC GAS ATTN: JACQUE ALLISON (CUBE # 5028C) 1850 GATEWAY BLVD., 5TH FLOOR CONCORD, CA 94520

Customer Number
170896

Service Period
ANNUAL

Ticket Types	
NEW	New ticket – billable
EXTN	Extension – billable
RNEW	Renewal – billable
FLUP	Follow Up – non-billable
CNCL	Cancel – non-billable

DUE DATE
Net 30 days

P.O. NO.

TICKET TYPES	DESCRIPTION	QTY	AMOUNT
TICKET CALIF	Unique Billable Total 2019 Membership fee \$150 plus unique 2018 billable ticket fee	3,294 1	0.00 3,074.52

REMIT PAYMENT TO:
Underground Service Alert of
Northern California and Nevada
4005 Port Chicago Highway, Suite 100
Concord, CA 94520
Tax ID# 94-3022852
Questions? Contact Bethany @ 925 483-9870 or
bethany.dillon@usanorth811.org

Total	\$3,074.52
Payments/Credits	\$0.00
Balance Due	\$3,074.52

Exhibit 2

State of California
California Underground Facilities Safe Excavation Board
(DIG SAFE BOARD)
Remit to: Dig Safe Board C/O Underground Service Alert 4005 Port Chicago Hwy, Ste 100 Concord, CA 94520-1122

Bill To
PACIFIC GAS & ELECTRIC ATTN: JACQUE ALLISON (CUBE # 5028C) 1850 GATEWAY BLVD. 5TH FLOOR CONCORD, CA 94520

Invoice

Date	Invoice #
2/13/2019	1588692019DIG

P.O. No.

Customer Number
158869

Terms
NET 30

Description	No. of Tickets	Amount
California State Fee for Regulatory Costs*	1,005,987	577,996.94

*Pursuant to Government Code
Section 4216.16 and
implementing regulations under
Division 4 of Title 19 of the
California Code of Regulations.
Each member of a regional
notification center is required to
pay a fee for regulatory costs to
the California Underground
Facilities Safe Excavation Board
("Dig Safe Board").

Total \$577,996.94

There will be a 5% late fee for payments not
received within 30 days.

Please make your check payable to:
Underground Service Alert of Northern California & Nevada for the benefit of the Dig Safe Board

Dig Safe Board annual budget = \$7,000,000
CA tickets for 2018 = 12,183,298

State of California
California Underground Facilities Safe Excavation Board
(DIG SAFE BOARD)
Remit to: Dig Safe Board C/O Underground Service Alert 4005 Port Chicago Hwy, Ste 100 Concord, CA 94520-1122

Bill To
STANDARD PACIFIC GAS ATTN: LARISSA HICKS (CUBE # 5028C) 1850 GATEWAY BLVD., 5TH FLOOR CONCORD, CA 94520

Invoice

Date	Invoice #
2/13/2019	1708962019DIG

P.O. No.

Customer Number
170896

Terms
NET 30

Description	No. of Tickets	Amount
California State Fee for Regulatory Costs*	3,294	1,892.59

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations. Each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Total \$1,892.59

There will be a 5% late fee for payments not received within 30 days.

Please make your check payable to:

Underground Service Alert of Northern California & Nevada for the benefit of the Dig Safe Board

Dig Safe Board annual budget = \$7,000,000
CA tickets for 2018 = 12,183,298

Dig Safe Board

916-568-3800

2/1/2019

Invoice # 18dsbfee384

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Total Fees for 2018	Monthly
California State Fee for Regulatory Costs*	7,154.38	596.20
*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").		
Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf		

Monthly Total Due \$596.20

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee384

Date:

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

3/1/2019

Invoice # 18dsbfee991

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Total Fees for 2018	Monthly
California State Fee for Regulatory Costs*	7,154.38	596.20
<p>*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").</p>		
Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf		

Monthly Total Due \$596.20

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee991

Date:

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

4/1/2019

Invoice # 18dsbfee1605

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs* Dig Safe Board Operational Expenses - \$7,000,000 Total 2018 Statewide Billable Tickets - 12,183,298	12,452	7,154.38	596.20

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee1605

Date Due: 5/16/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

5/1/2019

Invoice # 18dsbfee2214

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs* Dig Safe Board Operational Expenses - \$7,000,000 Total 2018 Statewide Billable Tickets - 12,183,298	12,452	7,154.38	596.20

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee2214

Date Due: 6/15/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

6/1/2019

Invoice # 18dsbfee2823

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs* Dig Safe Board Operational Expenses - \$7,000,000 Total 2018 Statewide Billable Tickets - 12,183,298	12,452	7,154.38	596.20

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee2823

Date Due: 7/16/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

8/1/2019

Invoice # 18dsbfee4041

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs* Dig Safe Board Operational Expenses - \$7,000,000 Total 2018 Statewide Billable Tickets - 12,183,298	12,452	7,154.38	596.20

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee4041

Date Due: 9/15/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

7/1/2019

Invoice # 18dsbfee3432

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs*	12,452	7,154.38	596.20
Dig Safe Board Operational Expenses - \$7,000,000			
Total 2018 Statewide Billable Tickets - 12,183,298			

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfee3432

Date Due: 8/15/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102

Dig Safe Board

916-568-3800

9/1/2019

Invoice # 18dsbfe4650

Pacific Gas & Electric Co
PO Box 7760
San Francisco, CA 94120-7760
Ven #1011163

PGE01

2700234932

Description	Billable Tickets**	2018 Total Fees	Monthly
California State Fee for Regulatory Costs* Dig Safe Board Operational Expenses - \$7,000,000 Total 2018 Statewide Billable Tickets - 12,183,298	12,452	7,154.38	596.20

Monthly Total Due \$596.20

** Total 2018 Billable Tickets: New, Re-Marks and Updates**

*Pursuant to Government Code Section 4216.16 and implementing regulations under Division 4 of Title 19 of the California Code of Regulations, each member of a regional notification center is required to pay a fee for regulatory costs to the California Underground Facilities Safe Excavation Board ("Dig Safe Board").

Frequently Asked Questions about the Dig Safe Board Fee Regulations can be found at
<https://digsafe.fire.ca.gov/media/1947/dig-safe-board-fee-faqs.pdf>

Detach remittance and return with your check made payable to Underground Service Alert of Southern California

REMITTANCE

Member Code: PGE01

Invoice # 18dsbfe4650

Date Due: 10/16/2019

Amount Due: \$596.20

Amount Enclosed:

Dig Safe Board
c/o Underground Service Alert/SC
PO Box 77070
Corona, CA 92877-0102



Use only for shipments within the U.S.
Saturday delivery not available.

1 From See embossed reverse signature below.

ORDER: 00848270
PRIME CLERK LLC
MARYSVILLE, CA
DECLARED VALUE \$100
PACKAGE WEIGHT
(212) 257-4169

FedEx
Standard
Overnight

Next business afternoon by
3 p.m. Not available to all
locations. Weekend delivery
only. Please consult the
current FedEx Service Guide
for specific commitments.

NONREFUNDABLE
Please see back for declared
value information and important
terms and conditions.

2 To Shipment will not be accepted if address below is altered.

PG&E CLAIMS PROCESSING
PRIME CLERK LLC
850 3RD AVE STE 412
BROOKLYN, NY 11232
(212) 257-4169

RECEIVED

OCT 23 2019

PRIME CLERK LLC

FedEx
TRK# 0662 8148 0459 3875

WED - 23 OCT AA
STANDARD OVERNIGHT

11232
NY-US
EWR

XA FBTA



F10 49-213 220CT19 NYVA 56AC3/2ABC/05A2

EXHIBIT B

United States Bankruptcy Court, Northern District of California

Fill in this information to identify the case (Select only one Debtor per claim form):

PG&E Corporation (19-30088)
 Pacific Gas and Electric Company (19-30089)

RECEIVED

OCT 18 2019

PRIME CLERK LLC

Official Form 410

Date Stamped Copy Returned
 No Self-Addressed Stamped Envelope
 No Copy Provided

04/16

Proof of Claim

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Unless an exception in the Bar Date Order applies to you, you should not use this form to submit a claim that arises out of or relates to the fires that occurred in Northern California prior to January 29, 2019.

Part 1: Identify the Claim

1. Who is the current creditor?	California Department of Water Resources Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____		
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____		
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)	
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Danette E. Valdez Supervising Deputy Attorney General 455 Golden Gate Avenue San Francisco, CA 94102 (415) 510-3540 danette.valdez@do.ca.gov Katharine S. Killeen Assistant Chief Counsel 1416 9th Street Sacramento, CA 95814 (916) 653-5791 katharine.killeen@water.ca.gov	Danette E. Valdez Supervising Deputy Attorney General 455 Golden Gate Avenue San Francisco, CA 94102 (415) 510-3540 Katharine S. Killeen Assistant Chief Counsel 1416 9th Street Sacramento, CA 95814 (916) 653-5791	
	Contact phone See above	Contact phone See above	
	Contact email See above	Contact email See above	
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____/_____/_____		
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____		

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____
7. How much is the claim?	\$ <u>See Supplemental Statement</u> Does this amount include interest or other charges? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).
8. What is the basis of the claim?	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or creditcard. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information. <u>See Supplemental Statement re: California Cooperative Snow Survey Program</u>
9. Is all or part of the claim secured?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____ Basis for perfection: _____ Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.) Value of property: \$ _____ Amount of the claim that is secured: \$ _____ Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.) Amount necessary to cure any default as of the date of the petition: \$ _____ Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable
10. Is this claim based on a lease?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____
11. Is this claim subject to a right of setoff?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No
 Yes. Check one:

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____

Up to \$2,850 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____

Wages, salaries, or commissions (up to \$12,850) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies. \$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it.
FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

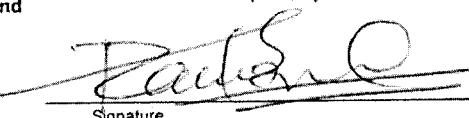
I am the creditor.
 I am the creditor's attorney or authorized agent.
 I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
 I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/15/2019 (mm/dd/yyyy)


Signature

Print the name of the person who is completing and signing this claim:

Name	Ramesh Gautam, PhD, PE		
	First name	Middle name	Last name
Title	Chief, California Cooperative Snow Surveys Program/Hydrology Branch/DFM		
Company	California Department of Water Resources		
Identify the corporate servicer as the company if the authorized agent is a servicer.			
Address	P.O. Box 942836		
	Number	Street	
	Sacramento		CA 94236-0001
Contact phone	City	State	ZIP Code
	(916) 574-2638		ramesh.gautam@water.ca.gov

1 XAVIER BECERRA, SBN 118517
2 Attorney General of California
2 MARGARITA PADILLA, SBN 99966
3 ANNADEL A. ALMENDRAS, SBN 192064
3 DANETTE E. VALDEZ, SBN 141780
4 Supervising Deputy Attorneys General
4 455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
5 Telephone: (415) 510-3540
6 Email: Danette.Valdez@doj.ca.gov
6 *Attorneys for the California Department of Water*
7 *Resources*

8
9 IN THE UNITED STATES BANKRUPTCY COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12
13 **In re:**

14 **PACIFIC GAS AND ELECTRIC COMPANY,**
15 **Debtor.**

16
17
18
19
20 Case No. 19-30089 (DM)

21
22
23
24
25
26
27
28 **Chapter 11**

29
30 **SUPPLEMENTAL STATEMENT**
31 **OF THE CALIFORNIA**
32 **DEPARTMENT OF WATER**
33 **RESOURCES IN SUPPORT OF**
34 **PROOF OF CLAIMS RE**
35 **CALIFORNIA COOPERATIVE**
36 **SNOW SURVEYS**

The Department of Water Resources (DWR) submits this supplemental statement in support of DWR's protective Proof of Claim relating to PG&E's share of the costs associated with the California Cooperative Snow Surveys (CCSS) program.

BACKGROUND

Established in 1956 by the California State Legislature, DWR protects, conserves, develops, and manages much of California's water supply. This includes the State Water Project (SWP), the nation's largest state-built water conveyance program.

8 The SWP supplies water to an almost 27 million Californians and 750,000 acres of
9 farmland. It spans more than 700 miles from Northern California to Southern California and
10 includes 34 storage facilities, 20 pumping plants, 5 hydroelectric power plants, 4 pumping-
11 generating plants, and approximately 700 miles of canals, tunnels, and pipelines. In addition to
12 supplying high-quality water for California's cities, industries, and farms, the SWP also provides
13 flood control, hydroelectric power generation, recreational opportunities, and ecosystem
14 enhancements to protect fish and wildlife habitat.

15 DWR is also the lead agency in coordinating the California Cooperative Snow Surveys
16 (CCSS) program. Established in 1929 by the California Legislature, the CCSS program is a
17 partnership of more than 50 state, federal, and private agencies. Section 228 of California Water
18 Code provides that DWR shall gather and correlate information and data pertinent to an annual
19 forecast of seasonal water crop, including the making of snow surveys, either independently or in
20 cooperation of any person, or any county, State, Federal, or other agency.

21 The cooperating agencies share a pool of expert staff and in funding the program, which
22 collects, analyzes and disseminates snow data from more than 265 snow courses and 130 snow
23 sensors located throughout the Sierra Nevada and Shasta-Trinity mountains. Testing the snow
24 levels will determine the amount of water available for the year to generate power.

25 DWR's role in coordinating the CCSS includes:

- Maintaining snow surveying and sampling equipment
- Training for our partner agencies
- Course measurement schedules and data collection

- Fiscal and staff resource needs for the various partners within the program.

2 Over the years, there has been a cooperative arrangement between DWR and PG&E where
3 DWR provides PG&E with an invoice for its share of the costs for the CCSS program, and PG&E
4 pays the invoice. However, PG&E has not paid the following invoices:

	<u>Year</u>	<u>Amount</u>
5	2018	\$28,215
6	2019	\$37,994

8 DWR submits this claim to protect its interests against PG&E. DWR reserves the right to
9 revise, amend, and/or supplement it at a future date in the event additional information becomes
10 available or is necessary to support this claim.¹

LIABILITY

Permits, orders, licenses, deed restrictions, and conservation easements are not executory contracts because they are more than mere contracts and have the force of law separate and apart from contract law. *FDIC v. Frates*, 44 F. Supp. 2d 1176, 1200-1201 (N.D. Okla. 1999); *U.S. v. Amer. Nat'l Can Co.*, 126 F. Supp. 2d 521, 531 (N.D. Ill. 2000). The amount that PG&E owes DWR is akin to a regulatory order assessing PG&E for its share of the regulatory costs associated with testing the snow levels.

18 In addition, even if the cooperative agreement between DWR and PG&E is deemed an
19 executory contract that PG&E wishes to reject, PG&E must meet a heightened standard and
20 demonstrate that rejection of such a contract is in the public interest. Where, as here, the
21 bankruptcy policies collide with other regulatory schemes, the simple business judgment does not
22 apply. *In re Mirant Corp.*, 378 F.3d 511, 525 (5th Cir. 2004); *see generally In re Pilgrim's Pride*
23 *Corp.*, 403 B.R. 413, 421-422 (Bankr. N.D. Tex. 2009). Rejection of obligations that are part of a
24 regulatory scheme is clearly not in the public interest.

RESERVATION OF RIGHTS

26 DWR makes this claim for itself and no other agency, unit, or entity of the State of

27
28 1 Documents and other information supporting this Proof of Claim are available upon
request to the undersigned.

1 California. Any waiver of sovereign immunity under the law resulting from the filing of the
2 separate Proof of Claim or this Supplemental Statement is by DWR, and no other agency, unit, or
3 entity of the State of California, and is strictly limited to this claim.

4 Neither this Proof of Claim and Supplemental Statement, nor any subsequent appearance,
5 pleading, proof of claim, claim, or suit is intended to or shall be deemed or construed as:

6 (a) consent by DWR to the jurisdiction of this Court or any other court with respect to
7 proceedings, if any, commenced in any case against or otherwise involving DWR or other agency
8 of the State of California;

9 (b) a waiver of any right of DWR to (i) have an Article III Judge adjudicate in the first
10 instance any case, proceeding, matter, or controversy as to which a Bankruptcy Judge may not
11 enter a final order or judgement consistent with Article III of the United States Constitution, (ii)
12 have final orders in non-core matters entered only after de novo review by a District Court Judge,
13 (iii) trial by jury in any proceeding so triable in the Chapter 11 Cases or in any case, controversy,
14 or proceeding related to the Chapter 11 Cases, (iv) have the United States District Court withdraw
15 the reference in any matter subject to mandatory or discretionary withdrawal, or (v) any and all
16 rights, claims, actions, defenses, setoffs, recoupments, or remedies to which the State Water
17 Board is or may be entitled under agreements, in law or in equity, all of which rights, claims,
18 actions, defenses, setoffs, and recoupments are expressly reserved hereby; or

19 (c) a waiver of any objections or defenses that DWR, the State of California, or any other
20 agency, unit, or entity of the State of California may have to this Court's jurisdiction over DWR,
21 the State of California, or such other agency, unit, or entity based upon the Eleventh Amendment
22 to the United States Constitution or related principles of sovereign immunity or otherwise, all of
23 which objections and defenses are hereby reserved.

24 ///

25 ///

26 ///

27 ///

28 ///

1 All correspondence and pleadings pertaining to DWR's Proof of Claim and/or this
2 Supplemental Statement in support of the Proof of Claim, and any amendments or supplements,
3 should be directed to the undersigned.

5 Dated: October 15, 2019

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
ANNADEL A. ALMENDRAS
Supervising Deputy Attorney General

Franette E. Valdez

DANETTE E. VALDEZ
Supervising Deputy Attorney General
Attorneys for California
Department of Water Resources



XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE

455 GOLDEN GATE AVENUE, SUITE 11000
SAN FRANCISCO, CA 94102-7004

Public: (415) 510-4400
Telephone: (415) 510-3367
Facsimile: (415) 703-5480
E-Mail: Annadel.Almendras@doj.ca.gov

October 15, 2019

Via Overnight Delivery

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232

RE: Proof of Claim – *In re Pacific Gas and Electric Company* (Chapter 11)
United States Bankruptcy Court, Northern District of California, Case No. 19-30089 (DM)

Dear Prime Clerk:

Enclosed please find an original and one copy of a Proof of Claim and supporting Supplemental Statement to be filed in the Pacific Gas and Electric Company bankruptcy matter. Also enclosed is a self-addressed stamped envelope.

Please return a conformed filed-endorsed copy of the Proof of Claim and Supplemental Statement in the self-addressed stamped envelope. If you have any questions or require additional information, please contact me at (415) 510-3367.

Sincerely,

ANNAADEL A. ALMENDRAS
Supervising Deputy Attorney General

For XAVIER BECERRA
Attorney General

AAA:ps

RECEIVED
OCT 17 2019
PRIME CLERK LLC

Proof of Claim-
In re Pacific Gas and Electric Company (Chapter 11)
United States Bankruptcy Court,
Northern District of California
Case No. 19-30089 (DM)

RECEIVED
OCT 18 2019
PRIME CLERK LLC

RECEIVED
OCT 17 2019
PRIME CLERK LLC



Package
US Airbill

FedEx
Tracking
Number

8142 2742 8243

Form
ID No. 0200

1 From [REDACTED]

Date [REDACTED]

2 Your Internal Billing Reference [REDACTED]

3 To [REDACTED]

Recipient's Name [REDACTED]

Phone [REDACTED]

Company [REDACTED]

Address [REDACTED]

City [REDACTED] State [REDACTED] ZIP [REDACTED]

Dept./Floor/Suite/Rm. [REDACTED]

4 Express Package Service To most locations

Packages up to 150 lbs.
For packages over 150 lbs., use the
FedEx Express Freight US Airbill

Next Business Day

FedEx First Overnight
Earlier next business morning, delivery to select
locations. Friday shipments will be delivered on
Monday unless Saturday Delivery is selected.

FedEx Priority Overnight
Next business morning* FedEx shipments will be
delivered on Monday unless Saturday Delivery
is selected.

FedEx Standard Overnight
Next business afternoon*
Saturday Delivery NOT available

2 or 3 Business Days

FedEx 2Day A.M.
Second business morning*
Saturday Delivery NOT available

FedEx 2Day
Second business afternoon* Thursday shipments
will be delivered on Monday unless Saturday
Delivery is selected.

FedEx Express Saver
Third business day*
Saturday Delivery NOT available

5 Packaging *Declared value limit \$500

FedEx Envelope* FedEx Pak* FedEx *OCT 18 2019* Other

6 Special Handling and Delivery Signature Options

Saturday Delivery
NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

No Signature Required
Package may be delivered without
obtaining a signature for delivery.

Direct Signature
Signature at recipient's address
may sign for delivery.

Direct Signature
Signature at the recipient's
address. Carrier at a neighboring
address may sign for delivery. For
residential deliveries only.

Does this shipment contain dangerous goods?

New dangerous goods checklist

No Yes Airwaybill
Airwaybill
Shipper's Declaration
not required.

Restrictions apply for dangerous goods - see the current FedEx Service Guide.

Dry Ice

Dry Ice, 5.0 lb (1.8 kg)

Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Sender Acct. No. selected
Will be billed

Recipient Credit Card

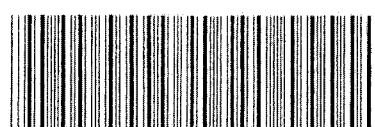
Third Party Cash/Check

Total Packages

Total Weight

Credit Card Auth.

644



8142 2742 8243

RECEIVED
OCT 18 2019

PRIME CLERK LLC

Each package is subject to US \$30 unless you choose a higher value. See the current FedEx Service Guide for details.

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PROOF OF SERVICE

I, Sabrina M. Cisneros, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 500 Capitol Mall, Suite 2250, Sacramento, CA 95814. On December 4, 2019, I served the within documents:

**LIMITED OBJECTION OF THE CALIFORNIA STATE AGENCIES TO
MOTION OF DEBTORS PURSUANT TO 11 U.S.C. § 1121(d) TO EXTEND
THE EXCLUSIVE SOLICITATION PERIOD [DOCKET NO. 4825]**

By Electronic Service only via CM/ECF.

/s/ *Sabrina M. Cisneros*
Sabrina M. Cisneros